

बृहन्मुंबई विकास नियंत्रण नियमावलीतील नियम ३३(१) मध्ये
फेरबदल.

महाराष्ट्र शासन,
नगर विकास विभाग,
शासन निर्णय क्रमांक: टिपीबी-४३०९/६९/प्र.क्र.१०८/१००९/नवि-११
मंत्रालय, मुंबई : ४०० ०३९, दिनांक: १७ जून, १०१०

शासन निर्णय:- सोबत जोडलेली अधिसूचना महाराष्ट्र शासनाच्या साधारण राजपत्रात प्रसिध्द
करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,

(राजेंद्र हाबडे)

अवर सचिव, महाराष्ट्र शासन.

प्रति,

आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.
संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
उपसंचालक, नगर रचना, बृहन्मुंबई, मुंबई.
प्रमुख अभियंता (वि.नि.), बृहन्मुंबई महानगरपालिका, मुंबई.
व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नोरोड, मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची सूचना महाराष्ट्र शासनाचे साधारण राजपत्रात भाग-१
मध्ये प्रसिध्द करण्यात येवून त्याच्या प्रत्येकी २५ प्रती नगर विकास विभाग, (नवि-११), मंत्रालय,
मुंबई-३२ व उप संचालक, नगर रचना, बृहन्मुंबई, इन्साइटमेंट, आझाद मैदान, मुंबई-१ यांना पाठविण्यात
याव्यात.)

✓ कक्ष अधिकारी (संगणक कक्ष) (नवि-२९), नगर विकास विभाग, मंत्रालय, मुंबई ४०० ०३२.

(त्यांना विनंती करण्यात येते की, सोबतची सूचना विभागाच्या वेबसाईटवर प्रदर्शित करण्याबाबत
आवश्यक ती कार्यवाही करावी)

निवडनसूती (नवि-१२).

सेक्शन ३७ फाईल.

The Maharashtra Regional and
Town Planning Act, 1966.

Sanction to modification to
Development Control Regulation
No. 33(1) for Gr. Mumbai under
section 37(2) of the ...

GOVERNMENT OF MAHARASHTRA
Urban Development Department
Mantralaya, Mumbai 400 032.

Dated the 17th June, 2010.

NOTIFICATION

No. TPB 4309/62/CR-208/2009/UD-11:

Whereas, the Development Control Regulation for Greater Mumbai 1991 (hereinafter referred to as "the said Regulation") have been sanctioned by the Government vide Urban Development Department's Notification No. DCR-1090/RDP/UD-11 dated 20th February, 1991 to come into force with effect from 25th March, 1991.

And whereas, as per the provisions contained in regulation 33(1) of the said regulations, grant of additional FSI in lieu of handing over the lands affected by road widening/proposed DP Road is elucidated.

And whereas, Govt. has received representation from PEATA that it is necessary to incorporate a provision in the said regulation, to grant prescribed additional FSI over and above that as permitted, towards construction of such setbacks/DP Roads by the owner/developer.

And whereas, in view of the above facts and circumstances Govt. has directed Municipal Corporation of Gr. Mumbai (hereinafter referred to as "the said Corporation") under section 37(1) of the said Act to modify Regulation No. 33(1) of the said Regulations (hereinafter referred to as "the said modification") vide Government's order of even No. dated 31/8/2009..

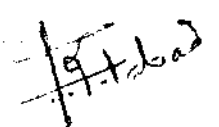
And whereas, after completing the legal procedure as contemplated under section 37(1) of the said Act, the said Corporation vide its letter No. CHE/DP/1633/TDR/Gen dated 23/3/2010 has submitted the said modification proposal to the Government for sanction;

And whereas, after consulting the Director of Town Planning, Maharashtra State, Pune, and the suggestions/objections received,

Government finds it necessary to sanction the said modification with some changes. In exercise of the powers vested under section 37(2) of the said Act, the Government hereby -

- 1) Sanction the said modification more specifically described in the Schedule attached herewith.
- 2) Fixes the date of publication of this notification in the official Gazette as the date of coming into force of this modification.
- 3) Directs the said Corporation that in the schedule of modification appended to the aforesaid Government Notification, sanctioning the said plan, after the last entry, (1) shall be added.

By order and in the name of the Governor of Maharashtra,


(Rajendra Habde)

Under Secretary to Government.

SCHEDULE

Accompaniment to the Govt. Notification No. TPE 4309/62/CR-209/
2009/UD-11 dated 17th June, 2010

Existing Regulation 33(1)

Road widening and construction of new Roads:

The Commissioner may permit additional FSI on 100 percent of the area required for road widening or for construction of new roads proposed under the development plan or those proposed under the Mumbai Municipal Corporation Act, 1888, excluding areas of internal means of access, if the owner (including the lessee) of such land surrenders such land for road widening or new road construction without claiming any compensation in lieu thereof and hands over the same to the Corporation free of encumbrances to the satisfaction of the Commissioner. Such 100% of the FSI on land so surrendered to the Corporation will be utilizable on the remainder of the land upto a limit of (40% in respect of plots situated in Mumbai City and 80% in respect of plots situated in the suburbs and extended suburbs) of the area of the plot remaining after such surrender and the balance FSI remaining thereafter shall be allowed to be utilized as a Development Right in accordance with regulations governing Transfer of Development Rights (TDRs) in Appendix VII, or the full FSI on the land surrendered to the Corporation may be allowed to be used as Development Right in accordance with the Regulations

Modification sanctioned.

Road widening and construction of new Roads:

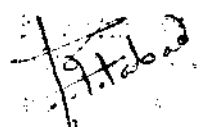
The Commissioner may permit additional FSI on 100 percent of the area required for road widening or for construction of new roads proposed under the development plan or those proposed under the Mumbai Municipal Corporation Act, 1888, excluding areas of internal means of access, if the owner (including the lessee) of such land surrenders such land for road widening or new road construction without claiming any compensation in lieu thereof and hands over the same to the Corporation free of encumbrances and after the owner or lessee has leveled the land to the surrounding ground level and after he has constructed a 1.5 mt. high compound wall leaving the set back area (or at a height stipulated by the Commissioner) with a gate at the cost of the owner, and to the satisfaction of the Commissioner.

When an owner or lessee or Power of Attorney Holder/Authority Holder also develops or constructs the road on the surrendered land at his cost subject to such stipulations as may be prescribed by the Commissioner to his satisfaction and hands over the said developed/constructed road to the Commissioner free of cost, he may be granted by the Commissioner additional FSI equal to 25% of the

governing Transfer of Development Rights (TDRs) in Appendix VII. Thereafter the road land shall be transferred in the City survey records in the name of the Corporation and shall vest it in becoming part of public street as defined in sub-section (3) of section 288 of the Mumbai Municipal Corporation Act, 1888.

area of this construction/development done by him. (this modification will not apply in cases where road FSI is utilized and also full occupation certificate is granted)

Such 100% FSI on land so surrendered to the Corporation and/or FSI towards road area constructed, will be utilizable on the remainder of the land upto a limit of 40% in respect of plots situated in Mumbai City and 80% in respect of plots situated in the suburbs and extended suburbs of the area of the plot remaining after such surrender and the balance FSI remaining thereafter shall be allowed to be utilized as a Development Right in accordance with regulations governing Transfer of Development Rights (TDRs) in Appendix VII, or the full FSI of land surrendered to the Corporation may be allowed to be used as Development Right in accordance with the Regulations governing Transfer of Development Rights (TDRs) in Appendix VII. Thereafter the road land shall be transferred in the City survey records in the name of the Corporation and shall vest it in becoming part of public street as defined in sub-section (3) of section 288 of the Mumbai Municipal Corporation Act, 1888.


(Rajendra Habde)

Under Secretary to Government.